

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: : MURGATROYD Colin  
SERIAL NO: : 10/768787  
FILED: : January 30, 2004  
FOR: : PERFORMANCE MONITORING  
IN A COMMUNICATIONS  
NETWORK  
EXAMINER: : Elallam, Ahmed  
GROUP ART UNIT: : 2616

**RESPONSE & AMENDMENT**

Honorable Director of  
Patents and Trademarks  
PO Box 1450,  
Alexandria VA 22313-1450

Dear Sirs:

In response to the Office Action mailed December 28, 2007, it is requested that the application be amended as follows: